

11-26-04

Dep. & Refund  
Room # 307

Rel.95-7/03 Pub.605

FORM 19-4

19-13

Practitioner's Docket No. 60,319-0010

2004 DEC -2 PM 3:11

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

☒ In re application of: Pennington

Application No.: 09 / 582,971 Group No.:

Filed: 7/7/2000

Examiner:

For: Use of Mass Fingerprinting for Identification of Protein Affinity Ligands☐ Patent\*:

Issued:

\*NOTE: Insert name(s) of inventor(s) and title also for patent. Where request is with respect to a maintenance fee payment also insert application number and filing date and add Box M. Fee to address.

Mail Stop 16

Director of the U.S. Patent and Trademark Office

P.O. Box 1450, Alexandria, VA 22313-1450

REQUEST FOR REFUND  
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

NOTE: 37 C.F.R. § 1.26(b) "Any request for refund must be filed within two years from the date the fee was paid, except as otherwise provided in this paragraph or in § 1.28(a). If the Office charges a deposit account by an amount other than an amount specifically indicated in an authorization (§ 1.25(b)), any request for refund based upon such charge must be filed within two years from the date of the deposit account statement indicating such charge, and include a copy of that deposit account statement. The time periods set forth in this paragraph are not extendable."

## I. REFUND REQUEST

This is a request for a refund, with respect to the charge to Deposit Account  
04-2223, shown on the statement dated 9/30/04, for the  
above-identified

☒ application.☐ patent.

## EXPRESS MAILING UNDER 37 C.F.R. § 1.10\*

(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date November 24 2004, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. ER 775757380

Dianne Barefoot

(type or print name of person mailing paper)

Signature of person certifying

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Request for Refund (Improper Charge of Credit Card Account) [19-4]—page 1 of 3)

Adjustment date: 01/05/2005 YPOLYTE1  
09X08/2004 KDOWNING 00800005 042223 09582971  
01 F6:2201 989.00 CR

BEST AVAILABLE COPY

(check the following, if desired, and supply copy of statement)

- ☒ A copy of the monthly statement, in which the error referred to occurs, accompanies this request.

## II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
<input type="checkbox"/> Filing fee	_____
<input type="checkbox"/> Surcharge for filing the basic filing fee on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	_____
and/or	
<input type="checkbox"/> Surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	_____
<input type="checkbox"/> Extension of term	_____
<input type="checkbox"/> first month	_____
<input type="checkbox"/> second month	_____
<input type="checkbox"/> third month	_____
<input type="checkbox"/> fourth month	_____
<input type="checkbox"/> fifth month	_____
<input type="checkbox"/> Excess claims	_____
<input type="checkbox"/> Issue fee	_____
<input type="checkbox"/> Petition fee	_____
<input type="checkbox"/> Patent maintenance fee	_____
<input type="checkbox"/> first maintenance fee	_____
<input type="checkbox"/> second maintenance fee	_____
<input type="checkbox"/> third maintenance fee	_____
<input type="checkbox"/> Patent maintenance fee surcharge	_____
<input checked="" type="checkbox"/> Other <u>Independent claims in excess of 3</u>	<u>\$989.00</u>
_____	_____
_____	_____
_____	_____
TOTAL REFUND REQUESTED	<u>\$989.00</u>

(Request for Refund (Improper Charge of Credit Card Account) [19-4]—page 2 of 3)

**III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

A charge of \$989.00 was made with corresponding code 2201 related to "independent claims in the excess of three." Pursuant to the most recent office action response filed August 23, 2004, claims 1-9, 17-21, 28-31 and 37-46 are presently under consideration. Accordingly, the only independent claim is claim 1, while the others are dependent claims. Based on this, the charge for excess independent claims was made in error and should be remitted to the provided deposit account.

**IV. MANNER OF REFUND**

Please make refund by

- ☒ crediting Account No. 04-2223  
☐ crediting credit card as shown on the attached credit card information authorization form PTO-2038.


**WARNING:** Credit card information should not be included on this form as it may become public.

- ☐ refunding payment.

Reg. No.: 46,720

Tel. No.: ( 248 ) 203 0766

Customer No.: 26,127

  
SIGNATURE OF PRACTITIONER

Myriah Gambrell-Glenn

Dykema Gossett PLLC

(type or print name of practitioner)

39577 Woodward Avenue

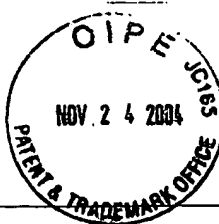
Suite 300

P.O. Address

Bloomfield Hills, MI 48304



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE



Under Secretary of Commerce for Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov

# MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and  
return top portion with your check. Make check  
payable to Director of Patents & Trademarks.

DYKEMA GOSSETT PLLC  
MARY F. PELTIER  
39577 WOODWARD AVENUE  
SUITE 300  
BLOOMFIELD HILLS MI 48304-2820

FINA

Account No. 042223
Date 9-30-04
Page 2

PLEASE SEND REMITTANCES TO:  
U. S. Patent and Trademark Office  
P.O. Box 70541  
Chicago, IL 60673

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
9	3	04	68	76385931	DNH 066114-0066	6004	150.00	33089.66
9	3	04	96	10928693	WFK 60680-865	x 8021	40.00	33049.66
9	3	04	115	10931709	NRG 65319.0039	1001	770.00	32279.66
9	3	04	116	10931709	NRG 65319.0039	1201	86.00	32193.66
9	3	04	117	10931709	65319.0039	1202	252.00	31941.66
9	3	04	157	10129194	RHT 66376-281-7	1251	110.00	31831.66
9	3	04	268	1853937	63677-005	7205	100.00	31731.66
9	3	04	269	1853937	WFK 63677-005	7201	400.00	31331.66
9	3	04	662	76103246	ABST 82070-117	7003	100.00	31231.66
9	3	04	740	76975216	JLDO 64934-065	7003	100.00	31131.66
9	3	04	1132	10631311	JLDO 69010319	8021	40.00	31091.66
9	7	04	3	1268496		6205	200.00	30891.66
9	7	04	4	1268496	DNH 66307-069	6206	100.00	30791.66
9	7	04	5	1268496		6203	100.00	30691.66
9	7	04	6	1268496		6201	800.00	29891.66
9	7	04	19	10410009	NRG 65319.024 0002245.0025	1202	180.00	29711.66
9	7	04	20	10410009	0002245.0025	1201	258.00	29453.66
9	7	04	54	10933302	66489-041-5	1001	770.00	28683.66
9	7	04	55	10933302	LRF 66489-041-5	1202	198.00	28485.66
9	7	04	56	10933302	66489-041-5	1203	290.00	28195.66
9	7	04	65	2635651	DNH 066948-0006	8521	40.00	28155.66
9	7	04	70	10890515	RHT 66376-346-7	8021	40.00	28115.66
9	7	04	90	10929843	NRG 065319-0030	+ 8021	40.00	28075.66
9	7	04	183	76380543	DNH 66386-288 0663860288	6004	450.00	27625.66
9	7	04	249	6215676	SWR 69010-030	1551	910.00	26715.66
9	7	04	398	09557090	JLDO 66864-003 72430-2	2501	665.00	26050.66
9	7	04	944	0777758	WFK 65205-071	7205	100.00	25950.66
9	7	04	945	0777758	65205-071	7201	400.00	25550.66
9	8	04	5	09582971	SWR 60319-010	2201	989.00	24561.66
9	8	04	6	10934207	ABST 60,680-866	1001	770.00	23791.66
9	8	04	118	10934597		2001	385.00	23406.66
9	8	04	119	10934597	NRG 89000-0107	2201	344.00	23062.66
9	8	04	120	10934597		2202	459.00	22603.66
9	8	04	124	10823782	66116-046-7	2001	385.00	22218.66
9	8	04	125	10823782	RHT 66116-046-7	2051	65.00	22153.66
9	8	04	126	10823782	66116-046-7	2251	55.00	22098.66

AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT		OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE
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